

**DOMINION COMMAND**  
**CONSTITUTION & LAWS COMMITTEE**  
**15 MARCH 2023, 1900 Hrs**  
**MEETING MINUTES**

|                       |                |                                 |
|-----------------------|----------------|---------------------------------|
| <b>In Attendance:</b> | Dave Gordon    | Chair                           |
|                       | David Eaton    | Vice Chair                      |
|                       | George O'Dair  | Member                          |
|                       | Bill Chafe     | Member                          |
|                       | Craig Thompson | Member                          |
|                       | Gerald Budden  | Member                          |
|                       | Danny Martin   | Committee Coordinator           |
|                       | Randy Haley    | Committee Coordinator Designate |
|                       | Ty Backer      | Assistant Committee Coordinator |

**1. OPENING REMARKS**

The meeting commenced at 1900 hours (DST) by zoom video conference.

**2. HARASSMENT AND SEXUAL HARASSMENT DEFINITIONS**

As harassment and sexual harassment are listed as offences under article 304 of the General By-Laws (GBLs) the committee was asked to consider providing definitions for clarification purposes. Upon review of the official definitions across the country it was felt that as a member focused organization any definition should reference the Human Rights definition vice the workplace definition. Additionally as the Human Rights definitions are provincially regulated and vary slightly between provinces any reference within the GBLs should take this into consideration. Therefore based on this analysis and a general agreement that some guidance was needed the following recommendation is made:

**RECOMMENDATION:** – Add the following definition to article 301 of the GBLs;  
“Harassment or Sexual Harassment: You should be guided by the Human Rights definition within your province or territory.”

**CARRIED**

**ACTION:** Committee Coordinator

**3. EXTENDING THE TIMELINE FOR COMPLAINTS UNDER ARTICLE 304.c.i.**

**Currently article 304.c.i. reads:** “To properly lodge a complaint: i. Where a complaint alleges theft or misappropriation of Poppy funds or Legion funds or property it must be lodged within 15 days from the time the complainant has knowledge of sufficient facts of the offence to constitute a valid complaint, regardless of when the alleged offence occurred.”

The committee was asked to consider extending the 15 day timeline as in practice and by definition such criminal behaviour takes time to determine the facts of an incident leaving members aware of the crime but hesitant to lodge a complaint until some clarity is achieved. The need for clarity was recognized as a genuine concern but there was also a concern for ensuring such serious crimes do not linger without some action being taken by the branch - specifically under the article III complaint process. Therefore it was determined that to meet these two requirements a modification to the article 304.c.i. timeline from 15 days to 30 days would be appropriate.

**RECOMMENDATION:** That Article 304.c.i. be modified to read:

“Where a complaint alleges theft or misappropriation of Poppy funds or Legion funds or property it must be lodged within 30 days from the time the complainant has knowledge of sufficient facts of the offence to constitute a valid complaint, regardless of when the alleged offence occurred.”

**CARRIED**

**ACTION:** Committee Coordinator

#### **4. REVIEW OF ARTICLE III**

The committee discussed the outline and substance of the Article III complaint process. Indications are that this section of the GBLs was the one most open to abuse through misapplication, incorrect interpretation, misuse, improper procedure, etc and as a process/tool open to all members should be reviewed on a total scale to determine methods to assist in the problem areas identified. Therefore the intent of the committee is to solicit feedback from the Provincial Command C&L Chairs and once the returns are collected convene a meeting of the C&L Committee and all C&L Chairs to discuss the way ahead.

**ACTION:** Committee Coordinator

#### **5. ADJOURNMENT**

The meeting was adjourned at 2030 hrs (DST).

**The recommendations contained within these minutes are subject to the approval of Dominion Executive Council or Dominion Convention as appropriate.**



---

**D. Gordon**  
**Chair**



---

**D. Martin**  
**Coordinator**

**DISTRIBUTION LIST**

DEC

Dominion Past Presidents

Dominion C&L Committee Members

Provincial Executive Directors